

DRAFT

MINUTES OF THE CITY COUNCIL
OF THE
CITY OF GREENSBORO, N. C.

REGULAR MEETING:

2 OCTOBER 2001

The City Council of the City of Greensboro met in regular session at 6:00 p.m. on the above date in the Council Chamber of the Melvin Municipal Office Building with the following members present: Mayor Keith A. Holliday, presiding; Councilmembers Claudette Burroughs-White, Sandra G. Carmany, Yvonne J. Johnson, Earl F. Jones, Robert V. Perkins, Thomas M. Phillips, Donald R. Vaughan and Nancy Vaughan. Absent: None. Also present were J. Edward Kitchen, City Manager; Linda A. Miles, City Attorney; and Juanita F. Cooper, City Clerk.

The meeting was opened with a moment of silence and the Pledge of Allegiance to the Flag.

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The Manager recognized Maribeth McKinnon, employee in the Support Services Department, who served as courier for the meeting.

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The Mayor explained the Council procedure for conduct of the meeting.

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Mayor Holliday stated that this was the time and place set for a public hearing to consider an ordinance amending Chapter 30 of the Greensboro Code of Ordinances with respect to Zoning, Planning and Development to establish the NC Highway 68 Scenic Corridor Overlay District; he noted the matter was continued from the 4 September 01 Council meeting and that the public hearing was closed at that meeting.

C. Thomas Martin, Planning Department Director, expressed appreciation to key members of his staff and the community for their cooperation and participation in the process used to prepare recommendations for Council's consideration which had produced an improved scenic corridor ordinance for Highway 68. Mr. Martin detailed the extensive process that had taken place to allow public input with respect to the proposed corridor; i.e., meetings with interested parties, efforts to build a consensus on proposed amendments, staff's efforts to contact by telephone some individuals who did not attend the meetings, etc. Mr. Martin reviewed suggestions for amendments which were discussed and not approved at the meetings; he also reviewed suggestions for amendments which were approved and the rationale for the suggestions. Mr. Martin stated that after the meetings were held, staff had reviewed and evaluated all suggested changes; he advised the memorandum provided to Council included the recommendations which were supported by the participants and reflected amendments that staff could support and still maintain the integrity of the scenic corridor ordinance.

Mr. Martin thereupon reviewed the memorandum that contained suggested amendments supported by staff and community/business representatives who participated in meetings; he emphasized the recommendations represented a compromise on a number of issues; i.e., modifications to convenience stores/service station requirements, modifications to requirements which prohibit metal sided buildings, modifications to the requirements to include lighting standards, reduction in the height of some signs, and modifications to the language in the provision for parking. (A copy of Mr. Martin's memorandum is filed in Exhibit Drawer N, Exhibit Number 26, which is hereby referred to and made a part of these minutes.)

Council discussed with Mr. Martin various opinions and concerns with respect to portions of the proposed ordinance and suggested modifications; i.e., screening requirements for properties; the rationale for not excluding certain properties from the scenic corridor requirements; the overall billboard issue, including the grandfathering of the nine

existing billboards on the proposed four-mile corridor, the fact that suggestions for reduced-size billboards were not presented at the meetings, staff's opinion that billboards were not an appropriate use in scenic corridors, etc. Additional discussion was held with regard to the appeal process available for citizens, the fact that if more than two ordinances were applicable to a situation, the more restrictive ordinance would apply, the responsibility of policing of the corridor to ensure enforcement of City ordinances, the appropriate height of required screening, the possibility that future amendments might be necessary, the legal standing of the ordinance if an exemption were granted, various opinions with regard to granting an exception to OldCastle Precast East, Inc., etc.

Discussing a request from the Triad Real Estate and Building Industry Coalition (TREBIC) for additional compromises since their meetings with City staff, Mr. Martin offered suggestions for appropriate wording for Council to consider which he believed would address the height of screening to be required. Mr. Martin explained that in preparing the proposed ordinance, staff had followed the directions given at the original briefing to Council. He emphasized that, with the exception of screening, all amendments presented for Council's consideration had received unanimous support from participants.

Councilmember D. Vaughan stated that OldCastle had been in business since 1970 and provided detailed information about the company; i.e., employment, salaries, proposed expansion, etc. He stated that at a time when many jobs in Greensboro were being lost, he believed that the City should not put people out of business. He stated case law existed that supported his rationale for proposing that the OldCastle property be excluded. Councilmember D. Vaughan stated that he wanted to offer an amendment to the ordinance with respect to this company.

After the City Attorney requested that he offer findings of fact with respect to the exception to the ordinance he wanted to propose, Councilmember D. Vaughan stated the following:

"That this business is over 1,000' from the centerline of Highway 68 and currently in compliance with all existing zoning laws, is a good corporate citizen, and were running their business as they should have until this situation occurred. The natural boundary that I'm about to go on is Burgess Road which is a little over 1,000' from 68; they are not on 68. There is also a grade differential here that is not the same topography as other properties and you really only see a portion of their property from 68 if you crank your neck. So that's why I think they're different from other adjoining properties and we should make this exception."

Councilmember D. Vaughan thereupon moved to *amend 30-40-4.3(d)(1) – that the boundary of the scenic corridor overlay district, which includes all land located within 1,500' on either side of the centerline of NC Highway 68 is included with the overlay zone except that the overlay zone on the east side of NC 68, beginning with the intersection with Market Street and continuing north along NC 68 for 1,000' shall only include land located within the centerline of NC 68 and the centerline of Burgess Road. Any area annexed into the City that is located within 1,500' of either side of the centerline of NC 68 shall be included effective upon annexation.*

After additional discussion regarding the order of business and the appropriate time to offer a motion to amend the ordinance to include the additional recommendations as outlined by Mr. Martin and address the height of required screening, Councilmember D. Vaughan's motion was seconded by Councilmember Burroughs-White and adopted on the following roll call vote: Ayes: Burroughs-White, Holliday, Johnson, Jones, Vaughan and Vaughan. Noes: Perkins, Carmany and Phillips.

Councilmember Phillips thereupon moved *that the original ordinance be amended to incorporate the modifications included in the Planning Department Director's September 27, 2001 memorandum and attachment that were recommended by staff and included in the handout.* The motion was seconded by Councilmember Johnson and adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None. (A copy of Mr. Martin's memorandum is filed in Exhibit Drawer N, Exhibit Number 26, which is hereby referred to and made a part of these minutes.)

After additional discussion, Councilmember Carmany moved to *amend 30-4-4.3(d)(3)(c)(1) – if a lot adjacent to NC Highway 68 has a parking lot located between the right-of-way and the principal building line, the parking lot shall be screened at a height of 4½-feet and may be augmented with earthen berms or mounds, existing vegetation, solid*

fencing, masonry walls or any combination thereof to take advantage of site topography for maximum screening. Tree preservation considerations shall not eliminate the requirements to screen such a parking lot. The intent of this requirement is to screen parking areas solely and should not be applied so as to eliminate building visibility. The motion was seconded by Councilmember Johnson and adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips and D. Vaughan. Noes: N. Vaughan.

Councilmember Johnson thereupon moved adoption of the ordinance amending Chapter 30 of the Greensboro Code of Ordinances with respect to Zoning, Planning and Development to establish the NC Highway 68 Scenic Corridor Overlay District, as amended earlier in the meeting. The motion was seconded by Councilmember Phillips; the ordinance was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Perkins, Phillips, Vaughan and Vaughan. Noes: Jones.

01-197 AMENDING CHAPTER 30

AN ORDINANCE AMENDING THE GREENSBORO CODE OF ORDINANCES WITH RESPECT TO ZONING, PLANNING AND DEVELOPMENT

Section 1. That Section 30-4-4.3, Scenic Corridor Overlay Districts, is hereby amended by adding subsections (C) and (D) to read as follows:

“(C) *General Requirements:* The following general requirements will apply to the Scenic Corridor Overlay District:

- (1) For the purposes of this Ordinance, a Scenic Corridor Overlay District is a district that supplements the underlying zoning district established on the site. In addition to the requirements of the underlying zoning district(s), the requirements herein shall apply to all new construction, additions, alterations, or expansions to existing buildings, parking lots or vehicular storage areas, unless explicitly exempted.
- (2) All uses permitted in the underlying zoning districts are allowed as regulated by said districts.
- (3) The specific development requirements of a particular scenic corridor overlay district shall apply uniformly to all property within said district, as specified in the officially adopted corridor plan and this section.

(D) *NC Highway 68 Scenic Corridor Overlay District Established:* The NC Highway 68 Scenic Corridor Overlay District is hereby established as a scenic corridor overlay district.

- (1) *Boundaries of the Scenic Corridor Overlay District:* All land which is located within one thousand five hundred (1,500) feet on either side of the centerline of NC Highway 68 is included within the overlay zone, except that the overlay zone on the east side of NC Highway 68 beginning at its intersection with Market Street and continuing north along NC Highway 68 for one thousand (1,000) feet shall only include land located within the centerline of NC Highway 68 and the centerline of Burgess Road. Any area annexed into the City that is located within one thousand five hundred (1,500) feet on either side of the centerline of NC Highway 68 shall be included effective upon annexation.
- (2) *Applicability:*
 - (a) *Application:* The NC Highway 68 Scenic Corridor Overlay District regulations shall apply to all principal buildings on lots or open uses of land constructed, reconstructed, or established after the effective date of this Ordinance (October 2, 2001), except as exempted or otherwise provided in Subsections (D)(2)(b) and (D)(2)(c) below.

- (b) Exemptions: The NC Highway 68 Scenic Corridor Overlay District regulations shall not apply to:
 - (i) Single family detached dwellings or two-family dwellings on their own lots.
 - (ii) A change in use, which does not result in an increase of two (2) or more in the Land Use Classification number. The requirements of this section shall be applicable to the entire zone lot.
 - (iii) Those buildings and their accessory uses including parking or vehicular storage areas existing on the effective date of this Ordinance (October 2, 2001) whose gross square footage of building, parking area, or open use of land is not expanded in excess of three thousand (3,000) square feet of that which existed on the effective date of this Ordinance (October 2, 2001).
 - (iv) Those projects that have an approved Site Specific Development Plan in compliance with Section 30-3-18.2 (Zoning Vested Rights).
- (c) Expansion of Existing Uses: For those buildings, parking areas, or open uses of land which are expanded in excess of three thousand (3,000) square feet of their gross square footage after the effective date of this Ordinance (October 2, 2001) the following requirements shall be met:
 - (i) Required planting yards shall be provided. In locations where the entire width of the required planting yard cannot be provided due to existing development, planting yards shall be provided to the extent possible, with no reduction in the size or numbers of required plantings.
 - (ii) The expanded portion only of any new parking lot or vehicular storage area shall meet the full landscaping and screening requirements for parking and vehicular surface areas.
 - (iii) Nonconforming signage shall comply with Section 30-5-5.11.
- (3) Landscaping and Screening Requirements: Landscaping and screening shall be in accordance with the following requirements. In case of conflict with the landscape and tree preservation requirements of Section 30-5-4, the stricter standard shall apply.
 - (a) Planting yards for lots that do not have frontage on NC Highway 68 shall be as required by Section 30-5-4.
 - (b) Street planting yards along NC Highway 68:
 - (i) Shall be used in a limited fashion for signage, walkways, fountains and other amenities, as long as no more than fifteen percent (15%) of the yard is covered with impervious surfaces;
 - (ii) Shall be a minimum of twenty (20) feet in width, and have an average width of thirty (30) feet;
 - (iii) Shall have the following planting rates:
 - (aa) Four (4) canopy trees for every one hundred (100) linear feet;
 - (bb) Four (4) understory trees for every one hundred (100) linear feet;

- (cc) Thirty-four (34) shrubs for every one hundred (100) linear feet; and
 - (iv) There shall be at least one (1) canopy tree for every fifty (50) linear feet.
 - (v) Where unreasonable or impractical situations would result from application of landscaping or tree preservation requirements, alternate methods of compliance may be used as described in Section 30-5-4.9.
- (c) Parking and Loading Areas:
 - (i) If a lot adjacent to NC Highway 68 has a parking lot located between the right-of-way and the principal building line, the parking lot shall be screened at a height of four and one-half (4.5) feet and may be augmented with earthen berms or mounds, existing vegetation, solid fencing, masonry walls or any combination thereof to take advantage of site topography for maximum screening. Tree preservation considerations shall not eliminate the requirement for landscape plantings to screen such a parking lot. The intent of this requirement is to screen parking areas solely and should not be applied so as to eliminate building visibility.
 - (ii) Loading areas, docks, and doors shall be restricted to the area between the rear property line and the principal building(s), as viewed from NC Highway 68. Loading areas, docks, and doors may be located on the side of a principal building if fully screened as much as reasonably possible from ground level view from NC Highway 68.
- (d) Accessory outside storage areas, trash rooms, garbage containers, or trash holding receptacles shall be fully screened as much as reasonably possible from ground level view from NC Highway 68.
- (e) Parking lot and perimeter lighting shall include diffusers or minimal wattage bulbs that minimize glare to adjoining roadways and properties. Lighting levels measured at the edge of the property shall not exceed three (3) footcandles.
- (4) Signage: Signage shall be in accordance with the following requirements. In case of conflict with the signage provisions of the underlying zoning districts, the stricter standard shall apply.
 - (a) Prohibited signs: In addition to signage prohibited by Section 30-5-5.2 of the Ordinance, the following signs shall be prohibited in the NC Highway 68 Overlay District:
 - (i) Changeable copy signs (message boards), except for fuel pricing and church identification signs as allowed by Subsections (D)(4)(c) and (D)(4)(d) below;
 - (ii) Electronic changeable copy signs, except for time and temperature signs which do not exceed fifteen square feet of copy area;
 - (iii) Outdoor advertising signs;
 - (iv) Ground surface signs; and
 - (v) Neon signs, but not including those attached to a window.

- (b) Freestanding Signs: Accessory freestanding signs shall be in accordance with the following specifications:
 - (i) Signs shall display only the name, trademark, and registered logo;
 - (ii) Fuel pricing signs shall display only the name, trademark, registered logo or vehicular fuel product and prices;
 - (iii) Church identification signs shall display only the church name, service hours, and church related events;
 - (iv) Signage shall be limited to monument type signs, except for developments with two (2) or more businesses and more than twenty-five thousand (25,000) square feet of gross floor area.
 - (v) Limited to one (1) sign per frontage;
 - (vi) Maximum height:
 - (aa) Six (6) feet for lots with less than two hundred (200) feet of frontage; and
 - (bb) Fifteen (15) feet for lots exceeding two hundred (200) feet of frontage.
 - (vii) Maximum Area:
 - (aa) Fifty (50) square feet for single businesses;
 - (bb) Ninety (90) square feet for developments with two (2) or more businesses and twenty-five thousand (25,000) square feet or less gross floor area; and
 - (cc) One hundred thirty-five (135) square feet for developments with two (2) or more businesses and more than twenty-five thousand (25,000) square feet of gross floor area.
 - (viii) For lots adjoining the Interstate 40 right-of-way, or lots located on a service road that physically adjoins the Interstate 40 right-of-way, freestanding signs shall conform to the underlying zoning district size and height requirements of Table 30-5-5-2.
- (c) Accessory Attached Signs: Accessory attached signs shall be in accordance with the following specifications:
 - (i) Limited to one (1) sign per wall;
 - (ii) Maximum area of seven and one-half percent (7.5%) of the wall area not to exceed one hundred (100) square feet; and
 - (iii) The height of the sign shall not exceed the top of the wall.
- (d) In nonresidential districts, illumination of all signage shall be limited to cut-out letter and indirect lighting, except for wall signage in commercial districts. In

commercial districts, back lit wall signage shall be permitted; however, signs with panels over fluorescent lighting shall be opaqued.

(5) Convenience Stores with Fuel Pumps and Gasoline Service Stations:

- (a) Buildings: Convenience store and gasoline service station buildings shall comply with the following standards:
 - (i) Buildings shall have hip or gable roofs with natural earth tones, white, black, or shades of gray. Flat roofs are prohibited;
 - (ii) Buildings shall be constructed with natural earth tone brick or with masonry which is painted with natural earth tones, white, black, or shades of gray; and
 - (iii) Building soffit lighting shall include diffusers that minimize glare to adjoining roadways and properties. Lighting levels measured at the ground surface, a distance of twenty (20) feet from the edge of the soffit, shall not exceed twenty (20) footcandles.
- (b) Canopies:
 - (i) All freestanding canopies shall meet the requirements of Subsection (D)(6)(b) below;
 - (ii) The maximum area of signage affixed to each side of a canopy shall not exceed twenty (20) square feet or twenty-five percent (25%) of the canopy fascia, whichever is less;
 - (iii) Canopy lighting shall include diffusers that minimize glare to adjoining roadways and properties. Lighting levels measured at the ground surface, beneath the edge of the perimeter of the canopy, shall not exceed twenty (20) footcandles; and
 - (iv) Canopy columns shall be finished with either brick or masonry that is consistent with the principal building material.
- (c) Landscape boulders or other decorative devices shall be used near driveway entrances in lieu of steel bollards. However, bollards may be used to protect fuel pump islands.
- (d) If fuel pumps are not located to the rear of the principal building, as viewed from NC Highway 68, the street planting yard shall contain two (2) additional understory trees for every one hundred (100) linear feet. Trees and shrubs located in the street planting yard shall be equally spaced throughout the yard to achieve an effective screen.

(6) Architecture:

- (a) Corrugated metal siding is prohibited if visible from NC Highway 68 unless the siding meets the following specifications:
 - (i) Corrugations on the exterior face do not exceed five-sixteenths inch (5/16") in depth; and

- (ii) Fasteners used to attach siding to structural members are concealed from view from the exterior.
- (b) No awnings or canopy fascias shall be internally lit.
- (c) Building and roof colors shall consist of natural earth tones, white, black, or shades of gray. Primary colors or bright colors shall be limited to trim and signage. Day glow or neon colors shall be avoided.
- (d) Building color schemes shall blend in with surroundings. Multiple colors and garish or unusual patterns or geometric shapes shall be avoided.
- (e) Applicants are required to submit color renderings, color elevation drawings, or color photographs with the site plan or to place a note on the site plan indicating that compliance with Subsection (D)(6)(c) above shall be achieved and approved by the TRC prior to installation.
- (f) Appropriate screening shall be provided to obscure as much as reasonably possible all roof-mounted equipment, roof vents, or other unsightly building appurtenances from view from NC Highway 68.”

Section 2. That Section 30-2-2.11, Signs, is hereby amended by adding the following definition in alphabetical sequence:

“Ground Surface Sign: Any sign composed of manmade or organic materials displayed upon the surface of the ground.”

Section 3. That Section 30-4-7.1, Structures Permitted Above Height Limits, is hereby amended by rewriting the section to read as follows:

“The height limitations of this Ordinance shall not apply to public buildings; churches; belfries; cupolas or domes (not intended for residential purposes); roof appurtenances such as housing for elevators, stairwells, skylights, ventilation equipment, or similar structures, including any structures designed to screen such appurtenances; monuments; water, observation, clock, or power transmission towers; silos or grain elevators; chimneys or smokestacks; derricks or conveyors; and flagpoles, provided such structures meet the NC Building Code.”

Section 4. That the NC Highway 68 Scenic Corridor Plan as presented to the Planning Board on July 18, 2001 and August 15, 2001, to the Zoning Commission on August 13, 2001 and forwarded to City Council is approved as amended.

Section 5. All Ordinances in conflict with the provisions of this ordinance are repealed to the extent of such conflict.

Section 6. This Ordinance shall be effective upon adoption.

(Signed) Yvonne J. Johnson

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Expressing the desire to include interested parties in the process with regard to the study of future scenic corridor studies, Councilmember Perkins moved that the Council instruct the Manager to instruct the Planning staff to engage in a study of the scenic corridors on eleven roads that the City had used for the visual corridor last year and begin that process and come back to Council with recommendations in a six-month period of time and appoint a committee of developers and other industry parties. The motion was seconded by Councilmember Carmany. No vote was taken on this motion.

After the City Manager advised that staff had been directed to focus first on the outer loop (Painter Boulevard), he stated that he was not sure that staff could complete everything in six months.

After brief discussion regarding the desire to allow staff time to focus on Painter Boulevard and to begin the process to identify other potential scenic corridors, Councilmember Perkins suggested that the process begin in a timely manner. He thereupon moved that the Planning staff focus on Painter Boulevard and identify the other corridors in a six-month period of time. The motion was seconded by Councilmember Carmany and adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

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Mayor Holliday stated that this was the time and place set for a public hearing to consider an ordinance rezoning from RS-12 Residential Single Family to Conditional Use-General Office Moderate Intensity for property located east of the terminus of Leland Drive and north of Yesteroaks Way East after receiving a 5-1 vote by the Zoning Commission to recommend approval of the rezoning. The Mayor administered the oath to those individuals who wished to speak to this matter.

Mr. Martin used a map and slides to illustrate the property and the surrounding area, stated the Planning Department and Zoning Commission recommended approval of the rezoning, and provided the following staff presentation:

REQUEST – ITEM 6

This request is to rezone property from RS-12 Residential Single Family to Conditional Use – General Office Moderate Intensity.

The RS-12 District is primarily intended to accommodate single family detached dwellings at a density of 3.0 units per acre or less.

The General Office Moderate Intensity District is primarily intended to accommodate moderate intensity office and institutional uses, moderate density residential uses at 12.0 units per acre or less, and supporting service uses.

CONDITIONAL USE CONDITIONS FOR THE REQUESTED ZONING DISTRICT

- 1) Use shall be limited to a nursing home and/or assisted living facility with associated parking and accessory uses.

DESCRIPTION OF THE PROPERTY, SURROUNDING LAND USE AND ZONING

This property consists of approximately 7 acres and is located east of the terminus of Leland Drive north of Yesteroaks Way East.

	<u>Zoning</u>	<u>Land Use</u>
Subject Property	RS-12	Vacant land
North	RS-15 RS-12	3 single family dwellings on Kirk Road Vacant land
East	RS-12	Vacant land
South	RM-12 CU-HB	Yesteroaks Apartments AT&T office building

The Mayor asked if anyone wished to speak to this matter. He advised that proponents and opponents would have the opportunity to question each other later in the meeting.

Jim Phillips, representing Universal Health Care, provided a history of the Blumenthal Jewish Home, spoke in favor of the request, explained the rationale for its relocation to Greensboro and detailed the type of facility proposed for development. He stated that the proposed facility would fit well into the area, that this was a low intensity use, and the facility would have a minimal impact on traffic in the area. He advised a number of individuals who were involved with this development were present in the Chamber.

Michael Schifftan, residing at 3707 Wedgedale Place, spoke in favor of the request, detailed the operation of the proposed assisted living facility and noted that while it was founded by the Jewish community, the facility was open to everyone. He stated the facility would offer a transition between single family and other uses; he noted this was a low-density use and spoke briefly to access to the facility.

Evelyn Pitchford, residing at 403 Leland Drive, spoke in opposition to the rezoning. She stated that in her opinion, the proposed use would change the community and create additional traffic and noise for the area. Ms. Pitchford noted the existence of other similar facilities in the area, stated she believed that the rezoning would set a precedent for other zoning requests, expressed concern with regard to access to the proposed development, and requested that Council deny the request.

Gail Moseley, residing at 10 Bent Oak Court; and Theresa Woods, residing at 4 Bent Oak Court; spoke in opposition to the rezoning and expressed concern with what they considered to be spot zoning. They stated they believed the integrity of the neighborhood would be changed and this request would set a precedent for future rezoning requests.

Stating that the proposed facility would be at her backyard, Ms. Woods asked the following questions: 1) If the property is rezoned, will it decrease the value of surrounding property, 2) if passed, will we be provided some type of privacy fence so I don't have to look at it, 3) why can't this home be moved further over to other vacant property in the area.

Mr. Phillips responded to Ms. Woods' questions: 1) he stated that the former facility was located in an up-scale residential area in Clemmons, and he really did not believe this facility would have a negative impact on property values given the surrounding zoning uses and would have minimal impact on the neighborhood, 2) he stated that buffers would be installed at this facility, but because the property purchased for the site of the Jewish home did not extend to Ms. Woods' property line, they had not addressed the issue of buffers for the facility, 3) he stated that this property was the most desirable for the Jewish home and was the parcel negotiated for purchase.

Council discussed with Mr. Martin various issues related to this request and the surround area; i.e., buffer requirements for various zoning uses, existing and future roadway issues including whether or not certain streets would be extended as properties were developed, the proposed height of the facility, proposed access to the property, whether the developer and residents had met to discuss development plans, etc.

Mr. Phillips responded that the plan for the site was one story tall. He also advised that his attempts to contact residents had been unsuccessful.

Ms. Woods asked the following questions: 1) how close to her backyard would this development be and 2) when can we see a site plan.

Mr. Martin responded 1) there was a strip of land between the property proposed for rezoning and your property, approximately 50' between, and 2) the availability of the site plan would be up to the property owner; they control when they will bring to the City. He advised the site plan would be a matter of public record when it was prepared.

Mr. Martin provided the following staff recommendation:

Item 6 – Pisgah Church Road & Leland Drive

The Planning Department recommends that this request, as amended, be approved.

This tract is adjacent to a moderate density multifamily development, the Yesteroaks Apartments, to the south.

There is CU-HB zoning which also abuts this property on the south where the AT&T office building and associated parking lots are located.

A nursing home/assisted living facility generates a relatively low 24-hour vehicular volume and, for this reason, the proposed development should not create any adverse traffic impacts in this area.

Staff feels that this low intensity facility will be compatible with the adjacent single family neighborhoods and recommends approval of the request.

Councilmember D. Vaughan moved to close the public hearing. The motion was seconded by Councilmember Jones and adopted unanimously by voice vote of Council. Councilmember D. Vaughan moved that the ordinance, rezoning this property to Conditional Use – General Office Moderate Intensity be approved based on the following findings of fact:

- 1) The development of the property in accordance with the proposed conditions will not materially endanger the public health or safety because there are no health or safety concerns inherent in the proposed use of the property for a nursing home/assisted living facility.
- 2) The development of the property in accordance with the proposed conditions will not substantially injure the value of adjoining or abutting property because there presently is a mix of zoning in this area which includes multifamily and commercial.
- 3) The location and character of the development in accordance with the proposed conditions will be in harmony with the area in which it is to be located and in general conformity with the plan of development of the City and its environs because adverse traffic impacts are not anticipated and this low intensity facility will be compatible with the adjacent single family neighborhoods and produce significantly less traffic counts than a single family subdivision under its current zoning.

The motion was seconded by Councilmember Carmany; the ordinance was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

01-198 AMENDING OFFICIAL ZONING MAP AND AUTHORIZING ISSUANCE OF CONDITIONAL USE PERMIT

EAST OF THE TERMINUS OF LELAND DRIVE NORTH OF YESTEROAKS WAY EAST

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1. The Official Zoning Map is hereby amended by rezoning from RS-12 Residential Single Family to Conditional Use – General Office Moderate Intensity (subject to those conditional uses with limitations as set forth in Sections 2, 3 and 4 of this ordinance) the area described as follows:

BEGINNING at a point, said point being S86°09'24"E 56.00 feet from the southeast corner of Lot 19 of Thousand Oaks Subdivision as recorded in Plat Book 98, Page 30; thence along a new line, said line being the proposed eastern right-of-way line of Wireless Drive Extension N03°32'46"E 404.21 feet to a point, said point being the point of curvature of the intersection of proposed Wireless Drive Extension and Leland Drive Extension; thence along a curve to the right with a radius of 35.00 feet, a chord bearing and distance of N48°33'18"E 49.51 feet to a point, said point being in the southern right-of-way line of proposed Leland Drive Extension; thence along the southern right-of-way line of proposed Leland Drive Extension S86°26'11"E 658.06 feet to a point; thence leaving the southern right-of-way line of

proposed Leland Drive Extension S03°32'46"W 442.00 feet to a point in the northern line of Yesteroaks Apartments; thence along the northern line of Yesteroaks Apartments and the property owned by Koury Corporation N86°09'24"W 693.08 feet to the point of BEGINNING, containing 7.009 acres as shown on a boundary and topographic survey for Universal Health Care prepared by Borum, Wade and Associates, P.A. dated April 30, 2001.

Section 2. That the issuance of a Conditional Use Permit in accordance with the above-mentioned change in zoning classification is hereby authorized subject to the following use limitations and conditions:

- 1) Use shall be limited to a nursing home and/or assisted living facility with associated parking and accessory uses.

Section 3. This property will be perpetually bound to the uses authorized and subject to such conditions as imposed, unless subsequently changed or amended as provided for in Chapter 30 of the Greensboro Code of Ordinances. Final plans for any development to be made pursuant to any Conditional Use Permit shall be submitted to the Technical Review Committee for approval.

Section 4. Any violations or failure to accept any conditions and use limitations imposed herein shall be subject to the remedies provided in Chapter 30 of the Greensboro Code of Ordinances.

(Signed) Donald R. Vaughan

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Moving to the Consent Agenda, Councilmember Phillips removed item 13 from the Consent Agenda. Councilmember Johnson moved adoption of the Consent Agenda, as amended. The motion was seconded by Councilmember D. Vaughan; the amended Consent Agenda was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

195-01 RESOLUTION APPROVING MEMORANDUM OF UNDERSTANDING BETWEEN GREENSBORO FIRE, GREENSBORO BUILDING INSPECTIONS, GUILFORD COUNTY FIRE MARSHAL OFFICE AND GUILFORD COUNTY SCHOOLS CONCERNING FIRE PLAN REVIEWS AND CERTIFICATE OF COMPLIANCE INSPECTIONS IN THE GUILFORD COUNTY SCHOOLS

WHEREAS, since the City and County School merger several years ago the Guilford County Fire Marshal's Office has been responsible for meeting the mandated inspection schedule for the entire County;

WHEREAS, the City of Greensboro continues to have responsibility for the Fire Plan Review for existing or new construction issues and the field certificate of compliance inspection;

WHEREAS, the Superintendent of Guilford County Schools has requested that one entity work directly with the school system on both existing inspections and new projects in order to save the school district money and provide better service to the school system;

WHEREAS, the Guilford County Fire Marshal's office has agreed to be responsible for reviewing the construction plans in accordance with the City of Greensboro's customer service guidelines;

WHEREAS, the proposed Memorandum of Understanding between City Fire and the Guilford County Fire Marshal's office meets the General Statutes pertaining to renovation and new construction fire plans review and field inspections as well as the routine mandated fire inspections of schools.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the City Council hereby approves the Memorandum of Understanding between Greensboro Fire, Greensboro Building Inspections, Guilford County Fire Marshal Office and Guilford County Schools allowing the Guilford County Fire Marshal's office to review fire construction plans.

(Signed) Yvonne J. Johnson

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196-01 RESOLUTION AUTHORIZING CHANGE ORDER IN CONTRACT NO. 2000-37 WITH SUTTON-KENNERLY & ASSOCIATES FOR THE HAMPTON AND ALLEN SOFTBALL FIELDS RELIGHTING PROJECT IMPROVEMENTS

WHEREAS, Contract No. 2000-37 with Sutton Kennerly & Associates provides for the Hampton and Allen Softball fields relighting projects;

WHEREAS, since negotiating this contract, Parks and Recreation has requested that relighting design services for the Old Peck Ball Field be added, thereby necessitating a change order in the contract in the amount of \$6,500.00.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That a change order in the above-mentioned contract with Sutton-Kennerly & Associates for the Hampton and Allen Softball fields relighting project is hereby authorized at a total cost of \$6,500.00, payment of said additional amount to be made from Account No. 101-5014-03.5627.

(Signed) Yvonne J. Johnson

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01-199 ORDINANCE AMENDING STATE, FEDERAL, AND OTHER GRANTS FUND BUDGET FOR FY 2001-2002 HOUSING ACTIVITIES – SCATTERED SITE REHABILITATION PROGRAM

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the State, Federal, and Other Grants Fund Budget of the City of Greensboro is hereby amended as follows:

That the appropriation for the State, Federal, and Other Grants Fund be increased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-2007-01.5282	Real Estate Loans	\$396,500
Total		\$396,500

and, that this increase be financed by increasing the following State, Federal, and Other Grants Fund account:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-2007-01.7170	Local Grants - Government	\$396,500
Total		\$396,500

(Signed) Yvonne J. Johnson

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197-01 RESOLUTION RESCINDING RESOLUTION 177-01 AND AUTHORIZING THE PURCHASE OF PROPERTY OF CHARLES R. PRATT AND WIFE, BARBARA W. PRATT AND GAYLE PRATT ROSS AND HUSBAND, GARIEL ROSS FOR LANDFILL BUFFER

WHEREAS, on August 21, 2001, the City Council authorized the purchase of property in connection with the landfill buffer project owned by Charles R. Pratt and wife, Barbara W. Pratt and Gayle Pratt Ross and husband, Gariel

Ross located at 1815 and 1817 Huffine Mill Road at Tax Map No. G-4-187-A-464-S-1 and 2 and 4-189-464-N-24 for the purchase price of \$85,000.00 and shown on the attached map;

WHEREAS, due to a clerical error the purchase price was approved for \$85,000.00, when in fact, the amount should have been \$86,500.00;

WHEREAS, the owner has agreed to convey said property to the City at the agreed price of \$86,500.00 and it is deemed in the best interest of the City to acquire said property.

WHEREAS, NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That Resolution 177-01 passed on August 21, 2001 referenced above authorizing the purchase of property of Charles R. Pratt and wife, Barbara W. Pratt and Gayle Pratt Ross and Husband Gariel Ross for Landfill Buffer for the amount of \$85,000.00 is hereby rescinded.

2. That the agreed price of the above-mentioned property in the amount of \$86,500.00 is hereby approved, and the purchase of the property in accordance with the agreed price is hereby authorized, payment to be made from Account No. 553-6509-03-6011 CBR 005.

(Signed) Yvonne J. Johnson

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198-01 RESOLUTION APPROVING HCD GRANT APPLICATION FOR DUKE POWER HOME ENERGY LOAN PROGRAM ADMINISTERED BY THE NORTH CAROLINA HOUSING FINANCE AGENCY

WHEREAS, Duke Power has made available one million dollars (\$1,000,000.00) in competitive grant funds for the Home Energy Loan Program administered by the North Carolina Housing Finance Agency which provides funding for weatherization and other energy related homeowner rehabilitation costs;

WHEREAS, the maximum award for said grant is \$150,000.00 which amount, if awarded, the Department of Housing and Community Development would use to supplement its homeowner rehabilitation activities;

WHEREAS, the loan assistance terms are consistent with the current City of Greensboro Homeowner Rehabilitation Program;

WHEREAS, it is deemed in the best interest of the City to apply for said \$150,000.00 grant to assist citizens with the costs of property rehabilitation.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the Housing and Community Development grant application for the Duke Power Home Energy Loan Program administered by the North Carolina Housing Finance Agency is hereby approved.

(Signed) Yvonne J. Johnson

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199-01 RESOLUTION APPROVING OF DELETION OF A PORTION OF FREEMAN MILL ROAD (SR 1398) AND A PORTION OF RANDLEMAN ROAD (SR 1007) FROM THE STATE HIGHWAY SYSTEM

WHEREAS, in reviewing the status of State Highway System Streets with officials of the State Highway Commission, it has been determined that certain deletions should be made on the State Highway System Streets within the corporate limits of the City of Greensboro;

WHEREAS, there are certain streets which should be deleted from the State Highway System Plan for state responsibility and maintenance, said streets being as follows:

Streets to be Deleted

1. Freeman Mill Road (SR 1398) from Florida Street to Norfolk Southern Railroad (1.05 miles).
2. Randleman Road (SR 1007) from Florida Street to Freeman Mill Road (0.56 miles).

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the deletions in the State Highway System Streets as shown above are hereby approved and shall become effective upon approval by the State Highway Commission.

(Signed) Yvonne J. Johnson

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01-200 ORDINANCE AMENDING GRANT PROJECT BUDGET FOR FISCAL YEAR 1998 FTA SECTION 5309 CAPITAL ASSISTANCE PROGRAM

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the Grant Project budget for the FY 1998 FTA Section 5309 Capital Assistance Program is amended as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
565-4546-01.6051	Licensed Vehicles	\$16,327

And, that this amendment is to be financed by the following revenue:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
565-4546-01.9564	Transfer from Transit Fund	\$16,327

(Signed) Yvonne J. Johnson

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201-01 RESOLUTION RESCINDING RESOLUTION NUMBER 189-01 AND AUTHORIZING THE GREENSBORO TRANSIT AUTHORITY TO PURCHASE SCAT VANS THROUGH THE NCDOT CONTRACT WITH THE NATIONAL BUS SALES AND LEASING INC.

WHEREAS, on September 18, 2001, the City Council authorized the Greensboro Transit Authority to purchase SCAT vans through the NCDOT Contract with National Bus Sales and Leasing, Inc.;

WHEREAS, the background memorandum for the September 18, 2001 meeting was missing some key financial information required to purchase the vehicles, which was omitted from the resolution;

WHEREAS, after conducting a competitive bidding process for light transit vehicles on behalf of its grantees, the North Carolina Department of Transportation made a bulk purchase from National Bus Sales & Leasing, Inc.;

WHEREAS, this bulk purchase was made to eliminate entities from having to conduct individual procurements as well as to assure better prices for similar vehicles which are in compliance with applicable federal and state requirements;

WHEREAS, the contract with National Bus Sales and Leasing, Inc. for the light transit vehicles required the vehicles be purchased through July 31, 2001 with a one-year option that the NCDOT intends to exercise at this time;

WHEREAS, NCDOT has awarded the City funds with which to purchase (9) vans for its SCAT Fleet and the City desires to purchase them through the State contract with National Bus and Leasing, Inc.;

WHEREAS, the total cost for the purchase of these vans is \$501,871.00 and the City's portion of \$81,530.36 is reflected in that total;

WHEREAS, it is in the best interest of the City of Greensboro for the Greensboro Department of Transportation to purchase these vans at this time.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That Resolution 189-01 passed on September 18, 2001 authorizing the Greensboro Transit Authority to purchase SCAT vans through the NCDOT Contract with the National Bus Sales and Leasing, Inc.
2. That the Greensboro Department of Transportation is hereby approved to purchase (9) SCAT vans through the State contract with National Bus Sales and Leasing, Inc. payment to be made from Account Nos. 565-4546-01-6051 CBR 001 and 564-4531-01-6051 CBR 001.

(Signed) Yvonne J. Johnson

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Mayor Holliday introduced a resolution authorizing change order in the amount of \$59,856 in Contract No. 2001-15 with Demolition & Asbestos Removal, Inc. for the Multi-Modal Transportation Center which was removed from the Consent Agenda by Councilmember Phillips.

After Councilmember Phillips reiterated his concerns with this center and this increase in cost, Councilmember Johnson moved adoption of the resolution. The motion was seconded by Councilmember D. Vaughan; the resolution was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Vaughan and Vaughan. Noes: Phillips.

200-01 RESOLUTION AUTHORIZING CHANGE ORDER IN CONTRACT NO. 2001-15 WITH DEMOLITION & ASBESTOS REMOVAL, INC. FOR THE MULTI-MODAL TRANSPORTATION CENTER

WHEREAS, Contract No. 2001-15 with Demolition & Asbestos Removal, Inc. provides for asbestos and lead based paint removal and disposal for the Multi-Modal Transportation Center located at 238 East Washington Street;

WHEREAS, due to concealed conditions on the site, additional quantities of asbestos insulation have been found which needs to be removed and disposed of, thereby necessitating a change order in the contract in the amount of \$59,856.00.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That a change order in the above-mentioned contract with Demolition & Asbestos Removal, Inc. for the removal of asbestos and lead based paint is hereby authorized at a total cost of \$59,856.00, payment of said additional amount to be made from Account No. 566-4512.01 CBR 004.

(Signed) Yvonne J. Johnson

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Mayor Holliday introduced a resolution authorizing City Attorney to institute proceedings to condemn portion of the property of Fellowship Hall, Inc., in connection with the Bledsoe Lift Station Force Main Project; he noted that staff had requested that this matter be continued. After Councilmember N. Vaughan requested that this issue be addressed by the second meeting in November while she was on Council in order that she might see this issue resolved, Councilmember Johnson moved that this resolution be continued without further advertising to the November 20, 2001 meeting of Council. The motion was seconded by Councilmember D. Vaughan and adopted unanimously by voice vote of Council.

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The Mayor introduced a resolution approving HOME Community Housing Development Organization Project.

Andy Scott, Director of Housing and Community Development Department, explained that Greensboro was the lead entity responsible for the conduct of the Greensboro/Guilford/High Point/Burlington/Alamance Housing Consortium using Federal HOME funds. He stated that Federal HOME funds had to be spent within a specific period of time.

Mr. Scott stated that in 1999 High Point entered into an agreement with a community housing development organization (CHDO) to develop affordable housing, the CHDO failed to comply with the agreement terms, and the funds reverted back to the HOME Consortium. After reviewing the process to make those funds available to non profit housing providers in the specified time, he stated that only Project Homestead and Share of North Carolina, Inc. Mr. Scott reviewed the three criteria used by the Community Resource Board (CRB) to determine which organization would receive the funding; i.e., experience, leverage and livability. He advised that after reviewing the details of the proposals, Project Homestead had received the higher total composite score.

Brief discussion was held with regard to available or potential for available housing lots, including those in the Willow Oaks project, and the process to make those lots available for development.

Bill Waller, residing at 4540 Peoples Road, Oak Ridge, NC, representing SHARE of North Carolina, Inc., spoke to the CRB's evaluation and ratings, questioned the CRB vote to select Project Homestead because board member Bill Burckley had worked as a paid consultant for Project Homestead, and offered his personal opinion that the outcome would have been different if all CRB members had been present when the vote was taken. He stated that he believed the housing product offered by SHARE was larger and offered more amenities than those provided by Project Homestead. He detailed the overall operation of SHARE; i.e., provide housing, offer educational and training for homeowners, etc. Brief discussion was held with regard to the CRB membership and the fact that a board member could only abstain if they received direct financial benefits.

Councilmember N. Vaughan offered lengthy, detailed comments about her ongoing concerns with respect to the breakdown in communication between the CRB and the City Council; she stated she believed that the relationship no longer functioned as it should. She stated that she was personally offended by the criticism of some CRB members that Project Homestead received preferential treatment by Council. She also added that no member of the CRB had contacted her to discuss any concerns, including the member she appointed, Valerie Rehtin. Councilmember N. Vaughan also spoke to Ms. Rehtin's candidacy for City Council and her concern with respect to a \$4,000 contribution from Bill and Susan Waller; she expressed concern that Ms. Rehtin criticized Council when she believed Ms. Rehtin to be an example of the appearance of impropriety. Councilmember N. Vaughan also stated that because she had some reservations regarding the appearance to the public of Ms. Rehtin's ability to serve on the CRB in an impartial and unbiased manner, she would not reappoint Ms. Rehtin to the CRB. Councilmember N. Vaughan explained further that she could not reconcile the fact that Ms. Rehtin received a \$4,000 contribution from one of the CRB applicants and that other applicants might feel that they were not given equal consideration. (A copy of Councilmember N. Vaughan's statement is filed in Exhibit Drawer N, Exhibit Number 28 and is hereby referred to and made a part of these minutes.)

Mr. Waller spoke briefly to the comments and reiterated his intent to continue the work of Share of North Carolina, Inc. Councilmember N. Vaughan expressed concern that comments had been made against Mr. Burckley's service on the CRB after Ms. Rehtin had received a campaign contribution and voted on the same issue.

After further discussion, Councilmember Jones moved adoption of the resolution. The motion was seconded by Councilmember Carmany; the resolution was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

202-01 RESOLUTION APPROVING HOME COMMUNITY HOUSING DEVELOPMENT ORGANIZATION PROJECT

WHEREAS, each year the Greensboro/Guilford/High Point/Burlington/Alamance Housing Consortium receives an allocation of HOME Federal funds to increase homeownership and affordable housing opportunities for low-income citizens;

WHEREAS, the City of High Point was unable to use it's 1999 reserves in the amount of \$53,650.00 in a timely manner, which resulted in these funds reverting back to the HOME Consortium;

WHEREAS, after inviting all eligible CHDOs to submit proposals for the use of these funds, the City of Greensboro received proposals by SHARE of North Carolina and Project Homestead;

WHEREAS, at its September 20th meeting, the Community Resource Board (CRB) recommended the funds be awarded to Project Homestead for the development of ten single-family homes on Holts Chapel Road with funding of each lot to be a forgivable 5-year loan.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the City Council of the City of Greensboro hereby approves the HOME Community Housing Development Organization Project be awarded to Project Homestead for the development of ten single-family homes on Holts Chapel Road.

(Signed Earl Jones)

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Mayor Holliday introduced an ordinance amending in the amount of \$750,000 FY 2001-02 Annual Budget for the Capital Leasing Fund. He thereupon introduced so these matters could be discussed together, a resolution approving bid in the amount of \$747,873 and authorizing execution of Contract No. 2001-42 for the Greensboro Coliseum Parking Lot Improvement Project.

The City Manager advised these items were related to the parking lot across from the Coliseum, former site of George C. Brown Company, which was purchased several years ago to create additional parking. He stated that the City had been unable to use the property for several years, that the City had negotiated a five year lease with University of North Carolina at Greensboro (UNCG) for use of the lot for parking during weekdays, and that staff had been in negotiations with Greensboro Technical Community College (GTCC) for their purchase of City property adjoining the Price Campus. The Manager advised that revenue created by the agreement with UNCG and the sale of property to GTCC were unanticipated funds that were not included in the budget which would allow the City to moved forward with this project. He stated that staff recommended that Council approve the low bidder in order that the project might be completed before cold weather.

After discussion about the Manager's designated funding source and recommended action for Council, Councilmember Burroughs-White moved adoption of the ordinance amending in the amount of \$750,000 FY 2001-02 Annual Budget for the Capital Leasing Fund. The motion was seconded by Councilmember Johnson; the ordinance was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None

01-201

ORDINANCE AMENDING FY 01-02 ANNUAL BUDGET FOR THE
CAPITAL LEASING FUND

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the FY 01-02 Capital Leasing Fund Budget of the City of Greensboro is hereby amended as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
686-1001-02.6019	Capital Improvements	\$750,000

And, that this increase be financed by increasing the following accounts:

<u>Account</u>	<u>Description</u>	<u>Account</u>
686-1001-02.8616	Sale of Real Estate	\$350,000
686-0000-00.8900	Appropriated Fund Balance	<u>400,000</u>
Total		\$750,000

(Signed) Claudette Burroughs-White

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Councilmember Carmany thereupon moved adoption of the resolution approving bid and authority execution of Contract No. 2001-42 with Thompson-Arthur Paving Company for the Greensboro Coliseum Parking Lot Improvement Project. The motion was seconded by Councilmember D. Vaughan; the resolution was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

203-01 RESOLUTION APPROVING BID AND AUTHORIZING EXECUTION OF CONTRACT NO. 2001-42 WITH THOMPSON-ARTHUR PAVING COMPANY FOR THE GREENSBORO COLISEUM PARKING LOT IMPROVEMENT PROJECT

WHEREAS, after due notice, bids have been received for paving improvements to the old George C. Brown property for the Greensboro Coliseum parking lot improvement project;

WHEREAS, Thompson-Arthur Paving Company, Inc., a responsible bidder, has submitted the low base and alternate bid in the total amount of \$747,873.00 as general contractor for Contract No. 2001-42, which bid, in the opinion of the City Council, is the best bid from the standpoint of the City;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the bid hereinabove mentioned submitted by Thompson-Arthur Paving Company, Inc. is hereby accepted, and the Mayor and City Clerk are hereby authorized to execute on behalf of the City of Greensboro a proper contract to carry the proposal into effect, payment to be made from Account No. 686-1001-02.6019.

(Signed) Sandy Carmany

(A tabulation of bids for the Greensboro Parking Lot Improvement Project is filed with the above resolution and is hereby referred to and made a part of these minutes.)

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Sally Williams, residing at 1906 Finley Street, and representing Communities in Schools' Great Leaps Reading Program, provided details about the program and spoke to the need for volunteers. She requested that City employees be permitted to use an hour of City work time to volunteer for this worthwhile program to assist students. The City Manager responded that to permit employees to use City time to volunteer for this purpose would not be a prudent use

of taxpayer dollars; he also stated that this would set a precedent that could result in similar requests from other worthy program representatives. The City Manager advised that the City would make information about the program available to City employees and to citizens on Channel 13.

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Mary Lou Zimmerman, residing at 2304 Wilcox Drive, expressed appreciation to Council and the Transportation Department staff for addressing roadway concerns on City streets in the Northeast Area that had been noted in an earlier meeting. She also spoke in favor of district Council meetings.

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Bill Burckley, residing at 701 Morehead Avenue, asked that Council address the ongoing issue regarding the frequency of trash collection in the College Hill area. The City Manager advised that City staff would follow up and resolve this issue.

Mr. Burckley also spoke briefly to his service on the Community Resource Board and his former business relationship with Project Homestead.

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Councilmember D. Vaughn moved that Richard Hall be appointed to serve a term on the Planning Board in the position formerly held by Ralph Jarrett; this term will expire 15 August 04. The motion was seconded by Councilmember Perkins and adopted unanimously by voice vote of Council.

Councilmember D. Vaughan moved that Ron Mack be appointed to serve a term on the Tourism Development Authority in the position formerly held by Mo Milani; this position represents hotels with more than 200 rental units and the term will expire 3 September 04. The motion was seconded by Councilmember Carmany and adopted unanimously by voice vote of Council.

Councilmember D. Vaughan added the name of Steve Marks to the boards and commissions data bank for consideration for service in no specific area.

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Councilmember Johnson moved that Gail Stengenga be appointed to serve a term on the Tourism Development Authority in the position formerly held by William Sherrill; this position represents the restaurant association and the term will expire 30 September 03. The motion was seconded by Councilmember Burroughs-White and adopted unanimously by voice vote of Council.

Councilmember Johnson moved that Ron Platt be appointed to serve a term on the Tourism Development Authority in the position formerly held by Chris Adams; this position represents hotels without meeting facilities and the term will expire 30 September 04.

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Councilmember Burroughs-White moved that Mary Lou Zimmerman be appointed to serve a term on the Greensboro Transit Authority in the position formerly held by her husband, Jack Zimmerman; this term will expire 15 August 04. The motion was seconded by Councilmember Johnson and adopted unanimously by voice vote of Council.

Speaking to the aftermath of the September 11, 2001 tragedy in New York and Washington, Councilmember Burroughs-White invited Council and citizens to attend the Human Relations Commission's October 3 "You Are My Neighbor: Muslim Faith, Tradition and Culture". (Note: a number of the Commission's regular meetings will feature members of Arab and Middle Eastern heritage to speak to their faith, traditions and cultures in an attempt to educate and inspire the community.)

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Councilmember N. Vaughan moved that Tom Hubert be appointed to serve a term on the Community Resource Board in the position formerly held by Valerie Rechtin; this term will expire 15 August 03. The motion was seconded by Councilmember Carmany and adopted unanimously by voice vote of Council.

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Councilmember Phillips noted that the curb had been missing for some time at the corner of Greenbrook Drive and St. Regis Road and requested staff to address this problem. He also spoke briefly to the progress of the Randleman Dam.

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The Mayor added the name of Michael Coleman to the board and commissions data bank for consideration for future service on the Community Television Board.

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Councilmember Perkins moved that Mayor Holliday and Councilmember Carmany be designated as delegates at the North Carolina League of Municipalities' Annual Meeting in October in Asheville. The motion was seconded by Councilmember D. Vaughan and adopted unanimously by voice vote of Council.

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The Mayor and members of Council noted various issues, meetings and events of interest.

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Mayor Holliday advised that the Council would hold a special Council meeting on October 11, 2001 with respect to solid waste disposal issues.

The Mayor spoke to the need to fill the vacancies on various boards and commissions. He advised he would have information with respect to Board of Adjustment positions at the next Council meeting.

The Mayor advised that citizens who were interested in serving on a City board or commission should contact the City Clerk at 373-2397. He spoke to the work of the Clerk with regard to the Council's current, official boards and commissions records. He advised that the Clerk could provide information about appointments, reappointments, terms of office, etc.

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Councilmember Johnson moved that the City Council adjourn. The motion was seconded by Councilmember Jones and adopted unanimously by voice vote of the Council.

THE CITY COUNCIL ADJOURNED AT 9:35 P.M.

KEITH A. HOLLIDAY
MAYOR

JUANITA F. COOPER
CITY CLERK
